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Message Text

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CINCPAC ALSO FOR POLAD

E.O. 11652: GDS

TAGS: MARR, MNUC,AS

SUBJECT: NUCLEAR POWERED WARSHIP (NPW) VISITS TO AUSTRALIA

REF: (A) CANBERRA 8624 (EXDIS) (DTG 310601Z DEC 75)
(NOTAL); (B) CANBERRA 2625 (DTG 290655Z APR 75);
(C) AUSTRALIAN EMBASSY NOTE TO ASST. SECDEF ISA, 23 OCT 75
(D) STATE 259139 (DTG 010104Z NOV 75); (E) CANBERRA 7466
(DTG 060410Z NOV 75); (F) SECSTATE 041397 DTG 242125Z
FEB 75); (G) CANBERRA 206 (DTG 120217Z JAN 76);
(H) CANBERRA 320 (DTG 150057Z JAN 76); (I) CANBERRA 439
(DTG 200146Z JAN 76)
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1. COMMENTS CONTAINED IN REFTEL A REGARDING NPW VISITS TO

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AUSTRALIAN PORTS ARE APPRECIATED. HOWEVER, WITH THE
COALITION GOVERNMENT RECENTLY ELECTED IN A LANDSLIDE
VICTORY WE BELIEVE THE TIME MAY BE OPPORTUNE TO APPROACH
THE NEW GOVERNMENT TO SEEK A POLITICAL DECISION WHICH WOULD
ALLOW EARLY RESUMPTION OF NPW PORT ENTRY. THIS IS
PARTICULARLY TRUE IN VIEW OF PM FRASER'S VIEWS REPORTED
IN REF G AND DEFMIN KILEN'S STATEMENTS REPORTED BY
REFTELS H AND I. IF WE CAN ACHIEVE SUCH A DECISION IT
WOULD HOPEFULLY CLEAR AWAY THE BUREAUCRATIC DIFFICULTIES

WE HAVE FACED IN RECENT YEARS.

2. WE ARE CONCERNED THAT THE REQUIREMENT FOR AN ENVIRON-
MENTAL IMPACT STATEMENT AND SUBSEQUENT PUBLIC HEARINGS,
WHICH WOULD LIKELY RESULT IN LONG DELAY IN RESUMPTION OF
NPW VISITS, STILL MIGHT BE CONSIDERED A PREREQUISITE BY
THE GOA EVEN THOUGH MINISTERIAL LEADERSHIP HAS CHANGED.
WHILE WE HAD INDICATIONS THAT FORMER PM WHITLAM'S GOVERN-
MENT WAS FAVORABLY CONSIDERING NPW PORT ENTRY, PREVIOUS
GOA COMMUNICATIONS ON THIS ISSUE INDICATED TO US THAT A
POSITIVE DETERMINATION WAS STILL A LONG WAY OFF.
SPECIFICALLY, REFTEL B SOUGHT AN EXCHANGE OF NOTES ON NPW
ACCIDENT LIABILITY AND REF C (REPORTED IN REFTEL D), AS
CONFIRMED BY REFTEL E, DISCLOSED THAT FORMER MINISTER FOR
ENVIRONMENT PLANNED TO PREPARE AN UNCLASSIFIED ENVIRON-
MENTAL IMPACT STATEMENT (EIS) AND HOLD PUBLIC HEARINGS
ON NPW PORT ENTRY IN MOST MAJOR AUSTRALIAN CITIES.
ALTHOUG REFTEL E INDICATED THAT THE GOA MAY NO LONGER
DESIRE AN EXCHANGE OF NOTES ON NUCLEAR INCIDENTS, REF C
EXPRESSED AN INTENT TO INCLUDE THE TEXT OF SUCH AN EXCHANGE
OF NOTES IN THE EIS.

3. WHILE WE DO NOT KNOW WHAT STATUS THE NEW GOVERNMENT
WILL ACCORD THEM, THESE PREVIOUS REQUESTS REPRESENT THE
KINDS OF NEW ISSUES RAISED WHENEVER WE HAVE SATISFIED
EARLIER CONCERNS WHICH WE WERE LED TO BELIEVE WERE THE ONLY
ISSUES STANDING IN THE WAY OF A FAVORABLE DECISION. AT
ONE POINT, IT WAS OUR UNDERSTANDING THAT THE ONLY IMPEDI-
MENTS TO NPW PORT ENTRY WERE RESOLUTION OF THE WORLD COURT
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CASE AGAINST THE FRENCH FOR ATMOSPHERIC NUCLEAR WEAPONS
TESTING AND RECEIPT OF A GUARANTEE BY THE U.S. THAT
ABSOLUTE LIABILITY WOULD APPLY TO NPW REACTOR ACCIDENTS.
HOWEVER, WHEN BOTH OF THESE ISSUES WERE RESOLVED NEW
PROBLEMS AND CONDITIONS WERE INTRODUCED.

4. REQUEST YOU APPROACH DFA AT SENIOR OFFICIAL LEVEL AT
EARLIEST OPPORTUNITY AND REMIND GOA OF OUR CONTINUING
INTEREST IN AN EARLY RESOLUTION OF THIS ISSUE, DRAWING ON
ARGUMENTS BELOW.

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A. FOR NEARLY FIVE YEARS THE AUSTRALIAN GOVERNMENT HAS EXCLUDED VISITS BY U.S. NPW EVEN THOUGH ACCESS BY SUCH SHIPS IS CLEARLY ADVANTAGEOUS TO THE DEFENSE INTERESTS OF BOTH COUNTRIES. THE U.S- HAS MADE EVERY EFFORT TO SATISFY OUTSTANDING QUESTIONS RAISED BY THE GOA, E.G., NUCLEAR LIABILITY AND THE PASSAGE OF PL 93-513, BUT HAS BEEN CONFRONTED WITH ADDITIONAL ISSUES AND REQUIREMENTS.

B. NPW ARE IDEALLY SUITED TO OPERATIONS IN THE SOUTH PACIFIC AND INDIAN OCEANS, WHERE DISTANCES ARE GREAT AND OUR LOGISTIC LINES EXTREMELY LONG. HOWEVER, OPERATIONS OF NPW IN THESE AREAS CAN ONLY BE EFFECTIVELY CONDUCTED IF WE CAN DEPEND ON PORT ACCESS FROM OUR FRIENDS AND ALLIES, PARTICULARLY THOSE WITH WHOM WE HAVE A DIRECT DEFENSE RELATIONSHIP.

C. THE U.S. NAVY IS INCREASINGLY CONVERTING TO NUCLEAR POWER WITH NEARLY A THIRD OF THE MAJOR COMBATANTS, INCLUDING THE MOST MODERN SHIPS AND ALMOST ALL OF THE SUBMARINES, NOW NUCLEAR POWERED. AUSTRALIA'S CONTINUED EXCLUSION OF US NPW LIMITS THE EFFECTIVENESS OF ANZUS NAVAL OPERATIONS BY EXCLUDING A MAJOR AND GROWING PROPORTION OF AVAILABLE U.S. NAVAL RESOURCES.

D. THE ASSURANCES GIVEN TO THE GOA (I.E. THE U.S. STANDARD STATEMENT AND PL 93-513) REPRESENT THE SAME BASIS ON WHICH OUR NPW HAVE VISITED OVER 36 COUNTRIES. EVEN COUNTRIES WITH WHOM WE DO NOT HAVE A FORMAL DEFENSE RELATIONSHIP HAVE ACCEPTED THESE ASSURANCES AS AN ADEQUATE BASIS FOR ACCESS BY THESE SHIPS.
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E. IN DISCUSSIONS WITH U.S. REPRESENTATIVES, SENIOR AUSTRALIAN OFFICIALS INDICATED IN THE PAST THAT THEY WERE NOT CONCERNED ABOUT THE SAFETY OF U.S. NPW OR THAT SUCH SHIPS WILL CAUSE ENVIRONMENTAL PROBLEMS. AS THE SINGLE LARGEST REACTOR PROGRAM IN THE WORLD, THESE SHIPS HAVE ACCUMULATED OVER 1300 YEARS OF REACTOR OPERATION WITHOUT EVER EXPERIENCING A REACTOR ACCIDENT. IN THE AREA OF ENVIRONMENTAL PROTECTION THEIR OUTSTANDING RECORD HAS BEEN DOCUMENTED IN REPORTS PROVIDED TO THE GOA (NT-75-1 IS THE LATEST REPORT). WITH REGARD TO REACTOR ACCIDENT LIABILITY THE U.S. HAS PROVIDED THE GOA WITH ASSURANCES THAT CLAIMS FROM SUC AN INCIDENT WOULD BE HANDLED ON THE BASIS OF ABSOLUTE LIABILITY AS SET FORTH IN PL 93-513 (EMBASSY MAY ALSO WISH TO DRAW ON GUIDANCE CONTAINED IN REFTEL F).

F. THE MOST RECENT COMMUNICATION FROM THE AUSTRALIAN GOVERNMENT BEFORE THE ELECTION INDICATED THAT THE

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AUSTRALIAN MINISTER OF ENVIRONMENT INTENDED TO ISSUE AN
UNCLASSIFIED ENVIRONMENTAL IMPACT STATEMENT AND HOLD PUBLIC
HEARINGS ON NPW VISITS. SUCH ACTION, IF CARRIED OUT, COULD
FURTHER DELAY A DECISION AND SUBJECT THE MATTER TO A FORUM
WHERE OPPOSITION ELEMENTS COULD USE THE ISSUE TO STIR
PUBLIC CONCERN AND GAIN POLITICAL ADVANTAGE. THE U.S.
HAS NOT ISSUED AN ENVIRONMENTAL IMPACT STATEMENT NOR HELD
PUBLIC HEARINGS ON NPW PORT ENTRY BECAUSE THE INFORMATION

ON THE ENVIRONMENTAL ASPECTS OF THE OPERATION OF THESE
SHIPS HAS BEEN WIDELY PUBLISHED FOR YEARS AND BECAUSE
THERE HAS BEEN NO PUBLIC EXPRESSION OF CONCERN. (THIS IS
TRUE EVEN THOUGH THERE ARE STRONG ENVIRONMENTAL GROUPS
OPPOSING COMMERCIAL NUCLEAR POWER STATIONS IN THE U.S.)
IT IS VIRTUALLY IMPOSSIBLE TO "PROVE" SAFETY, SINCE THE
U.S. CANNOT DISCLOSE THE TECHNICAL INFORMATION ON THE PRO-
PULSION PLANTS OF THO E SHIPS FOR SECURITY REASONS.
THE USG WOULD HAVE THE SAME PROBLEM IN PUBLIC HEARINGS IN
THE UNITED STATES SINCE, BECAUSE OF CLASSIFICATION
REQUIREMENTS, WE CANNOT REVEAL MILITARY TECHNICAL INFOR-
MATION. HOWEVER, WE BELIEVE THE GOA HAS THE NECESSARY
ASSURANCES AND INFORMATION IN HAND TO DETERMINE ON A
GOVERNMENT-TO-GOVERNMENT BASIS THAT ACCESS BY U.S. NPW
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IS SAFE, ENVIRONMENTALLY ACCEPTABLE AND ESSENTIAL TO THE
DEFENSE INTERESTS OF THE ANZUS ALLIANCE. THE U.S.
ACCEPTS FOREIGN NPWS (U.K. TO DATE) ON THE SAME BASIS ON
WHICH WE ARE SEEKING ACCESS TO AUSTRALIAN PORTS, A BASIS
WHICH HAS BEEN ACCEPTED WITHOUT DEVIATION WORLDWIDE.

G. U.S. NAVY IS PREPARED TO SUBMIT A REQUEST FOR AN SSN
VISIT TO AUSTRALIA DURING THE SPRING IF SUCH A REQUEST
WOULD BE FAVORABLY RECEIVED.

5. REQUEST YOU ALSO DETERMINE WHETHER RESPONSE TO REF C
IS STILL DESIRED BY GOA. KISSINGER

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